

Yeas—5.

Beaty. Miller.
Goss. Neal.
Lipscomb.

Nays—14.

Davidson of Paulus.
DeWitt. Potter.
Davidson of Savage.
Galveston. Sebastian.
Hanger. Turney.
Harris of Hunt. Wayland.
Lloyd. Wilson.
Odell. Yett.

Absent.

Dibrell. Stafford.
Grinnan. Staples.
James. Swann.
Johnson. Turner.
Patterson. Wheeler.

Absent—Excused.

Harris of Bexar. McGee.

The foregoing roll call developing no quorum, the President Pro Tempore announced the Senate could not proceed with business.

(Senator Miller in the chair.)

Senator Goss moved that the Senate adjourn until 9:30 o'clock a. m. tomorrow.

The motion was lost by the following vote:

Yeas—5.

Goss. Neal.
Lipscomb. Swann.
Miller.

Nays—15.

Davidson of Paulus.
DeWitt. Potter.
Davidson of Savage.
Galveston. Sebastian.
Grinnan. Turney.
Hanger. Wayland.
Harris of Hunt. Wilson.
Lloyd. Yett.
Odell.

Absent.

Beaty. Stafford.
Dibrell. Staples.
James. Turner.
Johnson. Wheeler.
Patterson.

Absent—Excused.

Harris of Bexar. McGee.

The foregoing roll call having also developed no quorum, the Chair (Senator Miller) announced the Senate could not proceed with business, and

CALL OF SENATE TO SECURE AND MAINTAIN QUORUM.

Senator Davidson of DeWitt moved a

call of the Senate for the purpose of securing and maintaining a quorum, which call being duly seconded, the roll was called, the following Senators answering to their names:

Davidson of Neal.
DeWitt. Odell.
Davidson of Paulus.
Galveston. Potter.
Goss. Savage.
Grinnan. Sebastian.
Hanger. Swann.
Harris of Hunt. Turney.
Lipscomb. Wayland.
Lloyd. Wilson.
Miller. Yett.

Absent.

Beaty. Stafford.
Dibrell. Staples.
James. Turner.
Johnson. Wheeler.
Patterson.

Absent—Excused.

Harris of Bexar. McGee.

ADJOURNMENT.

Senator Swann moved that the Senate adjourn until 9 o'clock a. m. tomorrow, and

Senator Turney moved that the Senate adjourn until 9:30 o'clock a. m. tomorrow.

Action being on the longest time first, the motion of Senator Turney prevailed, and the Senate, at 10:45 o'clock p. m., accordingly adjourned, with the amendment by Senator Potter to the Senate general appropriation bill pending.

SIXTEENTH DAY.

Senate Chamber,

Austin, Tex., Thursday, Aug. 29, 1901.

The Senate met pursuant to adjournment.

President Pro Tem. Neal in the chair.

The roll was called, a quorum being present, the following Senators answering to their names:

Beaty. Odell.
Davidson of Patterson.
DeWitt. Paulus.
Goss. Potter.
Grinnan. Savage.
Hanger. Sebastian.
Harris of Bexar. Stafford.
Harris of Hunt. Staples.
James. Swann.
Lipscomb. Turney.
Lloyd. Wayland.
Miller. Wilson.
Neal. Yett.

Absent.

Davidson of Johnson.
Galveston. Turner.
Dibrell. Wheeler.

Absent—Excused.

McGee.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday (fifteenth day), the same, on motion of Senator Staples, was dispensed with.

PETITIONS AND MEMORIALS.

Senator Lloyd presented the following memorials:

Rusk, Texas, August 26, 1901.

Hon. L. Lloyd, Austin, Texas.

DEAR SIR: We respectfully call your attention to the fact that of the two propositions to place Cherokee county in either the Galveston or Beaumont district, that our preference is for the one which keeps us in the original district, and we insist on being so placed—that is, that we be left in the Beaumont district.

John B. Long, W. T. Caves, M. J. Whitman, B. C. Hosmer, E. A. Frazes, J. F. Fathom, E. J. Batman, R. L. Tucker, W. M. Ellis, O. P. White, Sam Freedman, T. J. Stovall, W. T. Norman, L. T. Moore, Jno. W. Chandler, Q. C. Looney, Tom B. Mallard, Wade B. Neely, J. W. Simmons, O. B. Slayden, R. L. Robinson, F. T. Hough, L. D. Guinn, Frank B. Quinn, C. C. Thompson, E. M. Priest, J. F. Mallard, A. H. McCord, M. D., R. Q. McCluse, M. D., J. H. Allen, A. S. Busby, M. Ezell, W. L. Welborn, J. C. Box, R. Pryor, S. P. Wilson, J. O. Pross, J. S. Burke, G. W. Wallace, W. R. Allen, S. S. Henry, G. W. Gibson, J. W. Bothwell, Chas. Vinning, Geo. A. Vinning.

Jacksonville, Texas, August 26, 1901.

Hon. L. Lloyd, State Senator, Austin, Texas.

DEAR SIR: We understand that there is an effort being made in the Legislature to place Cherokee county in the Galveston congressional district. We protest against the same. We would prefer that Cherokee county remain in Congressman Cooper's district, where it now is, and therefore kindly ask that you vote and use your influence accordingly, and oblige,

M. L. Earle, C. C. Childs, Wesley Miller, C. H. Martin, W. O. Wade, Walter O. Wade, Charles L. Nunally, T. B. Hunt, J. H. French, Jr., Jordan Watson, Shade Watson, Jordan Watson, Jr., Henry Lar-

ence, Taylor Durden, Eli Smith, Charley Lane, Will Massey, Dan Massey, F. E. Churchill, Walter Lloyd, H. L. Morris, A. D. Davies, J. A. Davies, A. L. Pinkston, C. S. Lane, M. D., John L. McCrackin, R. M. McLeod, J. C. Reed, T. E. Gillespie, A. J. Chessher, John J. Williams, W. B. Ragsdale, C. L. Arwine, J. E. Shields, H. A. Thompson, W. W. Newton, T. T. Slover, W. B. Pullen, M. D., R. P. Bolton, Joe Rector, E. Rector, John Bolton, John Massey.

Burke Station, August 23, 1901.

We, the undersigned citizens favor Angelina and Polk as a representative district instead of San Augustine.

D. B. McCall, T. S. Spivey, M. D., H. Belate, J. W. Stegall, Grif. Hardin, J. D. Burke, W. T. Ritche, R. L. Guinn, H. M. T. Guinn, A. L. Burke, A. J. Crager, H. V. M. Smeckle, D. G. Hays, P. F. Sullivan, R. A. Dufore, Jas. C. Falvey, M. D., J. M. Coyle, J. W. Falvey, R. E. Austin, M. F. Arrington, B. F. Florence.

Lufkin, Texas, August 27, 1901.

Hon. L. Lloyd, Senator, and Hon. James I. Perkins, Representative.

GENTLEMEN: We, the undersigned resident citizens of Angelina county, Texas, hereby protest against this, Angelina county, being placed in the Galveston congressional district, and respectfully urge that each of you use all means possible to have our county taken out of said district, and that same be placed in the Sabine Pass district:

J. E. McPherson, Chairman Democratic Executive Committee; W. M. Germ, Precinct Chairman; W. M. Germ & Co., T. L. Moffett, A. J. Albritton, Albritton & Moffett, F. M. Gibson, G. E. Townsend, A. St. Clair, Jr., W. C. Weaver, J. Kerr, J. M. Smith, W. R. Kerr, J. F. McCarter, Peyton R. Denman, G. M. Collins, J. H. Shotwell, W. A. Collmorgen, A. P. Feargur, Angelina County Trading Co., R. D. Horton, A. H. Binim, J. A. Haygood, P. C. McMullen, W. Eurvett Stegall, C. S. Mallard, W. H. Doggett, A. M. Tillerg, C. A. Burke, J. J. Richardson, N. G. Charlton, J. V. Curtin, Ben. B. Brown, J. S. Henderson, P. W. Ewritt, T. N. Hampton, J. M. McMullen, H. J. Matthews, R. W. Gillikin, R. T. Butler, C. D. Stegall, J. C. Selman, A. W. Ellis, Jake Markos, C. A. Rush, Harry Abram, T. R. McMaster, W. C. Rush, R. V. Watts, C. D. Smith, M. L. Clopton, J. H. Lammon, J. R. Poindexter A. M. Denman, J. H. Chapman, W. B. Treadwell, S. W. Henderson, C. H. Harrell, A. C. Jones, S. J. Treadwell, T. W. Lawgent, S. W. Womack, S. P. Cunningham, C. W. Cunningham, J. T. Scurlock, B. T. Miller, C. N. Humason, Humason & McMullen.

len, J. D. Fuller, J. J. Seigman, B. L. McPherson, J. F. Davis, T. W. Jordan, E. B. Robb, M. M. Feagur, J. A. Johnson, E. J. Mantooth, C. M. Blair, A. W. Ellis, Sr., B. Krantz, N. B. Chaucey, S. M. Kerr, W. H. Lee, W. H. Everett, County Treasurer, Geo. H. Kimmey, W. B. O'Quinn, J. W. Shotwell.

The President Pro Tempore here declared the morning call concluded.

SENATE GENERAL APPROPRIATION BILL—PENDING BUSINESS.

The Senate here resumed consideration of the pending business, Senate general appropriation bill, the question being on the following amendment offered on yesterday (fifteenth day) by Senator Potter:

"Amend by adding at the end of Section 4 the following: 'Provided, that no officer or agent of this State, or employe of any department of the government of this State, shall take or receive from this State any salary, allowance or sum of money due to or claimed by such person while such officer, agent or employe is in arrears with the State of Texas, or is due or owing to the State any sum whatsoever as such officer, agent or employe. But the sum so due or owing to such officer, agent or employe shall be credited to his account with the State, and he shall only receive the balance due him after such account due by him to the State is paid; and it shall be unlawful for any such officer, agent or employe to accept or receive from the State any of the moneys aforesaid under the conditions aforesaid, and any such person violating this provision shall, if an agent or employe, be discharged, and if an officer, shall be subject to be removed from office in the manner provided by law, and it is hereby made the duty of the Attorney General to institute and prosecute proceedings for that purpose.'"

POINT OF ORDER AGAINST AMENDMENT—OVERRULED.

The foregoing amendment was read, and

Senator Goss raised the point of order against the amendment, that the same was not germane to the bill under consideration (general appropriation bill).

The President Pro Tempore overruled the point of order, and

Senator Grinnan offered the following amendment to the amendment:

"Amend the amendment by adding the following: 'Provided further, that said indebtedness due the State shall be first determined by agreement, or by judicial inquiry in a court of competent jurisdiction,

where all parties involved have been made parties to the suit.'"

The amendment to the amendment was read, and lost.

(Lieutenant-Governor Browning in the chair.)

Senator Miller offered the following amendment to the amendment:

"Amend the amendment by striking out of said amendment the following words: 'And any such person violating this provision shall, if an agent or employe, be discharged, and if an officer, shall be subject to be removed from office in the manner provided by law, and it is hereby made the duty of the Attorney General to institute and prosecute proceedings for that purpose.'"

SENATE REFUSES TO POSTPONE ACTION ON AMENDMENTS.

The amendment to the amendment was read, and

Senator James moved that further consideration of both pending amendments be postponed until 3 o'clock p. m.

The motion to postpone was lost by the following vote:

Yeas—3.

Grinnan.
James.

Savage.

Nays—19.

Beaty.

Davidson of

Davidson of

Goss.

Hanger.

Harris of Bexar.

Harris of Hunt.

Lipscomb.

Lloyd.

Neal.

Odell.

DeWitt. Patterson.

Paulus.

Potter.

Stafford.

Staples.

Swann.

Turney.

Yett.

Absent.

Dibrell.

Johnson.

Miller.

Sebastian.

Turner.

Wayland.

Wheeler.

Wilson.

Absent—Excused.

McGee.

Action then recurring on the amendment by Senator Miller to the amendment by Senator Potter, the same was lost.

Action then recurring on the amendment by Senator Potter (see above), the same was lost by the following vote:

Yeas—8.

Davidson of

James.

Lloyd.

Miller.

Odell.

DeWitt. Potter.

Savage.

Swann.

Nays—16.

Beaty.	Patterson.
Davidson of	Paulus.
Galveston.	Sebastian.
Goss.	Stafford.
Grinnan.	Staples.
Harris of Bexar.	Turney.
Harris of Hunt.	Wilson.
Lipscomb.	Yett.
Neal.	

Absent.

Dibrell.	Turner.
Hanger.	Wayland.
Johnson.	Wheeler.

Absent—Excused.

McGee.

Senator Goss offered the following amendment:

"Amend by striking out all after line 7, page 4, down to and including line 21, as heretofore amended, and insert in lieu thereof the following: 'To refund to purchasers or lessees of public domain, public school, University or asylum land, or to their vendees or assignees, the money paid by them into the State treasury in accordance with the laws of this State where it is shown by the certificate of the Commissioner of the General Land Office that title can not issue or possession pass because of conflict, sales out of lands leased, erroneous sales, erroneous leases and other causes, or where a patent has been canceled by a decree of court or by the Land Commissioner, to be paid out of the respective funds to which said payments were credited; said claim to be approved by the Attorney General as to whether claims come under the provision of this act and as to correctness of claims and to whom due; provided, that the money paid by any purchaser or lessee shall be refunded to the vendee or assignee of such purchaser or lessee in case of sale of land by the purchaser or assignment of the lease by the lessee, after payment of such money, so that the money be paid to the person upon whom the loss falls in case of failure of title or right to possession, \$50,000.'"

POINT OF ORDER AGAINST AMENDMENT—OVERRULED.

The amendment was read, and Senator Savage made the point of order that a similar amendment was adopted by the Senate on the thirteenth day, and that before this amendment could be acted upon the other must be reconsidered.

The President overruled the point of order.

On motion of Senator Miller, the Sen-

ate here recessed until 3 o'clock p. m., the amendment of Senator Goss pending.

AFTER RECESS.

SENATE GENERAL APPROPRIATION BILL—PENDING BUSINESS.

After recess the Senate resumed consideration of the pending business, Senate general appropriation bill, action being on the amendment by Senator Goss (see before recess).

The amendment was again read, and adopted.

Senator Swann offered the following amendment:

"Amend by inserting after line 21 and before line 22, page 41, the following: 'To pay D. R. Emerson, sheriff of Falls county, for carrying attached witness, Henry Miller, from Falls county to McLennan county in March, 1899, under an order of the district court, \$10.15.'"

The amendment was read, and adopted.

MOTION TO RECONSIDER CALLED UP.

Senator Lipscomb called up the motion to reconsider the vote by which his amendment on yesterday was defeated.

The motion to reconsider prevailed by the following vote:

Yeas—17.

Davidson of	Paulus.
Galveston.	Savage.
Goss.	Sebastian.
Hanger.	Stafford.
Harris of Bexar.	Staples.
Harris of Hunt.	Swann.
Lipscomb.	Turner.
Miller.	Wayland.
Neal.	Wilson.

Nays—8.

Davidson of	Patterson.
DeWitt.	Potter.
Grinnan.	Turney.
James.	Yett.
Odell.	

Absent.

Beaty.	Lloyd.
Dibrell.	Wheeler.
Johnson.	

Absent—Excused.

McGee.

SENATE BILLS NOS. 7 AND 9—SIGNED.

The President gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, Senate bill No. 7, "An Act to amend

Chapter 2, Title XXV, of the Revised Statutes of Texas, 1895, by adding Articles 884, 885 and 886, authorizing counties and cities in which there has been heretofore, or may be hereafter, great destruction or damage of property and depreciation of taxable values occasioned by storms, floods or other great disasters, to compromise, settle, fund or refund their valid, subsisting bonded and floating indebtedness, and for such purpose to issue bonds without submitting the question of issuance to a vote of the tax-payers, and to exchange said bonds for valid outstanding bonds, warrants or scrip, or to sell said bonds and apply the proceeds in settlement of said indebtedness; also to repeal all laws in conflict with the provisions of this act."

Senate bill No. 9, "An Act to amend Section 4, of Chapter 5, of the Acts of the Special Session of the Twenty-fifth Legislature of the State of Texas, approved June 16, 1897, relating to the fees of sheriffs and constables; providing the amount of such fees, and for the payment of sheriffs' and constables' costs."

FIRST HOUSE MESSAGE.

The following first House message was here delivered to the Senate:

Hall of the House of Representatives.
Austin, Texas, August 29, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bills, to-wit:

Senate bill No. 8, A bill to be entitled "An Act validating the incorporation for school purposes only of the town of Childress independent school district, heretofore incorporated as an independent school district in Childress county; validating the acts of the board of trustees thereof, and providing for the control of the public schools, and the erection and purchase of sites and school buildings therein, as now provided by law for independent school districts in towns and villages incorporated for free school purposes only, and validating the levy of tax heretofore made for the support and maintenance of public schools and the levy of the tax heretofore made for purchase of school house sites and purchase and erection of school buildings in said district, and the issuance of bonds by said trustees.

Senate bill No. 6, A bill to be entitled "An Act to permit owners of real estate sold to the State of Texas for taxes to redeem the same."

Senate bill No. 19, A bill to be entitled

"An Act to validate the incorporation of the city of Athens, Henderson county, Texas."

Respectfully,

LEE J. ROUNTREE,
Chief Clerk House of Representatives.

SENATE GENERAL APPROPRIATION BILL—PENDING BUSINESS.

The Senate here resumed consideration of pending business, Senate general appropriation bill, and

The President laid before the Senate the following amendment by Senator Lipscomb:

"Amend the bill on page 38 by adding after line 32: 'That an appropriation of twenty-five thousand dollars be made to pay for the construction of a substantial iron fence surrounding 337 acres of land, more or less, owned by the State in Harris county, Texas, known as the "San Jacinto Battlefield," requiring 19,500 linear feet, more or less, with suitable gateways, etc., and to acquire sufficient land on the bayou front adjacent to said battlefield for ship landing; and to erect a cottage and other necessary buildings; to employ a competent keeper of said grounds, and to make such other improvements thereon as may be deemed necessary, to be expended within two years, \$25,000, or so much thereof as may be necessary; provided, that the Governor shall, as soon as practicable, appoint a commission to be composed of three citizens of this State, who shall represent the State in the construction and building of said fence, selecting the design, making contract, and doing and performing all other acts which may be necessary and proper in having said grounds enclosed and improved as herein suggested. All claims from this appropriation, or any part thereof, shall be accompanied by the affidavit of claimant to the effect that the claim is just, true and correct, and incurred in accordance with the contract made between the claimant and said commissioners, or any two of them, and that the claim is due and unpaid. Such account, if found correct, shall then be approved by at least two of the commissioners and the Governor of the State, and when so approved shall be sufficient authority to authorize the Comptroller to draw his warrant on the Treasurer for the amount of said claim, and said commissioners shall have full power and authority to make all contracts necessary and to pay for all contingent and other expenses out of said fund, on the approval of the Governor. Each of said commissioners shall serve without compensation, but shall be entitled to any actual personal expense necessary incurred by

him in the discharge of his official duties, to be paid out of said fund as herein above provided for."

The amendment was read, and

Senator Staples offered the following amendment to the amendment:

"Amend the amendment by striking out '\$25,000' and insert in lieu thereof '\$10,000.'"

The amendment to the amendment was read, and

Senator Potter offered the following substitute for both amendments:

"For the purpose of placing a wire fence around the battle ground of San Jacinto the sum of \$1000."

The substitute was read, and lost.

(President Pro Tem. Neal in the chair.)

Senator Miller offered the following substitute for both amendments:

"To put a fence around the battlefield of San Jacinto, to be erected under the supervision of the Superintendent of Public Buildings and Grounds, \$5,000."

The substitute for the amendments was read and adopted by the following vote:

Yeas—15.

Beaty.	Paulus.
Davidson of	Potter.
DeWitt.	Savage.
Goss.	Sebastian.
Hanger.	Staples.
Harris of Hunt.	Turney.
Miller.	Wayland.
Odell.	Yett.

Nays—11.

Davidson of	Lloyd.
Galveston.	Neal.
Grinnan.	Patterson.
Harris of Bexar.	Swann.
James.	Turner.
Lipscomb.	Wilson.

Absent.

Dibrell.	Stafford.
Johnson.	Wheeler.

Absent—Excused.

McGee.

The amendment as substituted was read and adopted.

Senators Beaty and Paulus offered the following amendment:

"Amend page 4, line 3, by striking out in each column '\$700' and adding '\$820' in each column."

The amendment was read and adopted by the following vote:

Yeas—15.

Beaty.	Harris of Bexar.
Davidson of	Harris of Hunt.
DeWitt.	Lipscomb.
Davidson of	Miller.
Galveston.	Neal.

Paulus.
Staples.
Swann.
Turner.

Wayland.
Wilson.
Yett.

Nays—8.

Grinnan.	Patterson.
Hanger.	Potter.
James.	Sebastian.
Lloyd.	Turney.

Present—Not voting.

Odell.	Savage.
	Absent.

Dibrell.	Stafford.
Goss.	Wheeler.

Johnson.

Absent—Excused.

McGee.

Senator James offered the following amendment:

"Amend page 5 by inserting between lines 13 and 14 the following: 'Salary of clerk for registering county and city bonds, \$1,140,' in each column."

The amendment was read, and adopted.

SUBSTITUTE HOUSE BILL NOS. 3, 5 AND 6 (CONGRESSIONAL AP- PORTIONMENT)—ON SEC- OND AND THIRD READINGS.

On motion of Senator Hanger, the pending business (Senate general appropriation bill) was suspended, and the Senate took up, out of its order,

Substitute House bill Nos. 3, 5 and 6, A bill to be entitled "An Act to apportion the State of Texas into congressional districts, and to repeal all laws and parts of laws in conflict herewith."

The President Pro Tempore laid the bill before the Senate on its second reading.

The bill was read second time, with the following committee amendments:

COMMITTEE AMENDMENTS TO SUB- STITUTE HOUSE BILL NOS. 3, 5 AND 6.

Amend by striking out all after the figure "1," in line 13, page 1, and insert the following:

The following counties shall compose the First District, towit: Lamar, Red River, Bowie, Cass, Marion, Morris, Titus, Camp, Franklin, Delta and Hopkins.

2. The following counties shall compose the Second District, towit: Jefferson, Orange, Newton, Jasper, Sabine, San Augustine, Angelina, Cherokee, Nacogdoches, Shelby, Panola and Harrison.

3. The following counties shall com-

pose the Third District, towit: Van Zandt, Henderson, Wood, Smith, Upshur, Gregg and Rusk.

4. The following counties shall compose the Fourth District, towit: Grayson, Collin, Fannin, Hunt and Rains.

5. The following counties shall compose the Fifth District, towit: Dallas, Rockwall, Kaufman and Ellis.

6. The following counties shall compose the Sixth District, towit: Navarro, Freestone, Limestone, Leon, Robertson, Brazos and Burleson.

7. The following counties shall compose the Seventh District, towit: Galveston, Liberty, Chambers, Hardin, Tyler, Polk, San Jacinto, Trinity, Houston and Anderson.

8. The following counties shall compose the Eighth District, towit: Harris, Brazoria, Fort Bend, Austin, Waller, Montgomery, Grimes, Walker and Madison.

9. The following counties shall compose the Ninth District, towit: Wharton, Matagorda, Jackson, Lavaca, Gonzales, DeWitt, Victoria, Calhoun, Aransas, Refugio, Goliad, Bee, San Patricio, Live Oak, Karnes, Wilson, Guadalupe and Comal.

10. The following counties shall compose the Tenth District, towit: Williamson, Travis, Hays, Caldwell, Bastrop, Washington, Fayette and Colorado.

11. The following counties shall compose the Eleventh District, towit: McLennan, Falls, Bell, Milam and Lee.

12. The following counties shall compose the Twelfth District, towit: Tarrant, Parker, Palo Pinto, Hood, Somervell, Bosque, Hill and Johnson.

13. The following counties shall compose the Thirteenth District, towit: Cooke, Denton, Wise, Montague, Clay, Jack, Young, Archer, Wichita, Wilbarger, Baylor, Throckmorton, Haskell, Knox, Foard, Hardeman, Stonewall, King, Dickens, Crosby, Cottle, Motley, Floyd, Hale, Lamb, Bailey, Parmer, Castro, Swisher, Briscoe, Hall, Childress, Collingsworth, Donley, Armstrong, Randall, Deaf Smith, Oldham, Potter, Carson, Gray, Wheeler, Hemphill, Roberts, Hutchinson, Moore, Hartley, Dallam, Sherman, Hansford, Ochiltree and Lipscomb.

14. The following counties shall compose the Fourteenth District, towit: Burnet, Lampasas, Coryell, Hamilton, Erath, Comanche, Eastland, Brown, Coleman, Mills, McCulloch, Mason, San Saba, Llano, Gillespie and Blanco.

15. The following counties shall compose the Fifteenth District, towit: Bexar, Kendall, Kerr, Bandera, Medina, Frio, Atascosa, McMullen, La Salle,

Webb, Duval, Nueces, Cameron, Hidalgo, Starr and Zapata.

16. The following counties shall compose the Sixteenth District, towit: El Paso, Jeff Davis, Presidio, Brewster, Pecos, Crockett, Val Verde, Kinney, Maverick, Dimmit, Zavala, Uvalde, Edwards, Sutton, Schleicher, Menard, Kimble, Concho, Tom Green, Upton, Crane, Ward, Reeves, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, Runnels, Callahan, Stephens, Shackelford, Jones, Taylor, Nolan, Fisher, Scurry, Mitchell, Howard, Borden, Dawson, Martin, Andrews, Gaines, Yoakum, Cochran, Hockley, Terry, Lubbock, Lynn, Garza, Irion and Kent.

Sec. 2. That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

Sec. 3. The fact that the present session of the Legislature is drawing to a close, and the great importance of the passage of this measure, creates an emergency and an imperative public necessity authorizing the suspension of the constitutional rule requiring bills to be read on three several days, and the same is hereby suspended.

The committee amendments were read, and adopted, and

Senator Patterson offered the following amendment:

"Amend by striking out the words 'McLennan and Falls' in line 31, on page 4, and insert in lieu therefor the words 'Burleson, Leon, Robertson and Brazos,' and further amend, to prevent disarrangement of the bill, by striking out the words 'Leon, Robertson, Burleson and Brazos' in line 16, on page 4, and insert in lieu thereof the words 'McLennan and Falls.'"

The amendment was read, and lost, and

The bill was passed to a third reading.

On motion of Senator Hanger, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Beaty.	Miller.
Davidson of	Neal.
DeWitt.	Odell.
Davidson of	Potter.
Galveston.	Savage.
Grinnan.	Stafford.
Hanger.	Swann.
Harris of Bexar.	Turney.
Harris of Hunt.	Wayland.
James.	Wilson.
Lipscomb.	Yett.
Lloyd.	

Nays—5.

Patterson.	Paulus.
------------	---------

Sebastian. Turner.
Staples.

Absent.

Dibrell. Johnson.
Goss, Wheeler.

Absent—Excused.

McGee. Miller.

The bill was read third time, and passed.

Senator Hanger moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE GENERAL APPROPRIATION BILL—PENDING BUSINESS.

The Senate here resumed consideration of the pending business, Senate general appropriation bill, and

Senator Paulus offered the following amendment:

"Amend by striking out in line 29, page 10, in each column, '\$1,700' and inserting in lieu thereof '\$1,800' in each column."

The amendment was read, and lost.

Senator Harris of Bexar offered the following amendment:

"Amend by adding on page 22, after line 9, in first column: 'For addition to the barn and dairy, \$2,000.'"

The amendment was read, and adopted.

Senator Dibrell (per Senator Turney) offered the following amendment:

"Amend page 9 by striking out all of line 15."

The amendment was read, and adopted.

Senator Dibrell (per Senator Turney) offered the following amendment:

"Amend line 13, page 10, by striking out '\$2,000' in each column and inserting in lieu thereof '\$1,750.'"

The amendment was read, and adopted.

Senator Dibrell (per Senator Turney) offered the following amendment:

"Amend line 20, page 9, by striking out '\$500' in each column and insert in lieu thereof '\$250.'"

The amendment was read, and adopted.

Senator Dibrell (per Senator Turney) offered the following amendment:

"Amend Senate Substitute bill No. 3 by striking out lines 21, 22 and 23, on page 9."

The amendment was read, and adopted.

Senator Dibrell (per Senator Turney) offered the following amendment:

"Amend page 9 by inserting between lines 17 and 18 the following: 'Salary of two clerks for two months (July and August), at \$90 per month for each clerk, provided they shall be needed, \$360.'"

The amendment was read, and adopted.

(Lieutenant-Governor Browning in the chair.)

Senator Staples offered the following amendment:

"Amend printed bill, page 41, by striking out all of lines 16 to 21 inclusive."

The amendment was read, and adopted.

Senator Lipscomb offered the following amendment:

"Amend by adding between lines 5 and 6, page 36: 'For four cottages for teachers, \$3,600.'"

The amendment was read, and lost.

Senator Swann offered the following amendment:

"Amend the printed bill, page 5, line 7, by striking out in each column '\$1,100' and inserting in lieu thereof in each column '\$1,200.'"

PREVIOUS QUESTION ON AMENDMENT AND BILL.

The amendment was read, and

Senator Miller moved the previous question on the pending amendment and the engrossment of the bill, which motion being duly seconded, the President put the question—

Shall the main question be now ordered?

The main question was ordered, and the amendment by Senator Swann was lost.

The bill was then ordered engrossed.

On motion of Senator Savage, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Beaty.	Neal.
Davidson of	Odell.
DeWitt.	Paulus.
Davidson of	Potter.
Galveston.	Savage.
Goss.	Sebastian.
Grinnan.	Stafford.
Hanger.	Staples.
Harris of Bexar.	Swahn.
Harris of Hunt.	Turner.
James.	Turney.
Lipscomb.	Wayland.
Miller.	Wilson.

Nays—2.

Lloyd.	Patterson.
--------	------------

Absent.

Dibrell.	Wheeler.
Johnson.	Yett.

Absent—Excused.

McGee.

The bill was read third time, and passed.

Senator Savage moved to reconsider

the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SECOND HOUSE MESSAGE.

The following second House message was here delivered to the Senate:

Hall of the House of Representatives,
Austin, Texas, August 29, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendment to Substitute House bill Nos. 3, 5 and 6, the congressional reapportionment bill, and asks for the appointment of a Free Conference Committee.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

CONGRESSIONAL APPORTIONMENT —HOUSE REQUEST FOR FREE CONFERENCE COMMITTEE GRANTED.

On motion of Senator Hanger, the request of the House for a Free Conference Committee in the matter of Senate amendments to Substitute House bill Nos. 3, 5 and 6 was granted.

LABOR DAY CELEBRATION—RESOLUTION TO ATTEND.

By unanimous consent, Senator Patterson offered the following resolution:

Whereas, This Senate has been kindly and politely invited by the trades unions of Austin to attend their celebration on next Monday; therefore, be it

Resolved, That when the Senate adjourns this week that it stand adjourned until Tuesday, 10 a. m., of next week in honor of the Labor Day celebration.

The resolution was read second time, and

Senator Odell offered the following substitute for the resolution:

Be it resolved, That the Senate of the State of Texas accept with thanks the invitation extended by the trades union representing the various labor organizations of the city of Austin on Labor Day, September 2nd; express to said organization their sympathy in the object of the observance and celebration of said day, and hope the public business will permit their attendance with them.

The substitute was read, and adopted.

Senator Patterson offered the following amendment:

"Amend by adding at the end of the resolution the following: 'That when the Senate adjourns on the last day of

this week that it do so in respect of said trades unions.'"

The amendment was read, and adopted, and

The substituted resolution as amended was then read, and adopted.

ASSAULT UPON SERGEANT-AT-ARMS—RESOLUTION TO INVESTIGATE.

By unanimous consent, Senator Swann offered the following resolution:

Whereas, It has come to the knowledge of this Senate that the Sergeant-at-Arms of this body, while in the discharge of his duty in the Senate Chamber this morning (August 29th), was assaulted by a person not a member of this body; therefore,

Resolved, That a committee of three members of the Senate be appointed by the President of this body to investigate the matter and report as early as possible.

The resolution was read second time, and adopted.

COMMITTEE ON INVESTIGATION NAMED.

Under the foregoing resolution, the President appointed the following committee:

Senators Swann, Davidson of Galveston and Potter.

HOUSE JOINT RESOLUTION NO. 1—ON SECOND READING.

The President here laid before the Senate the pending order of business, on its second reading,

House Joint Resolution No. 1, Constituting the Governor, Comptroller and Attorney General a board and authorizing said board to make and enter into any agreement which it its judgment may be necessary in order to secure the return to the proper officials of the moneys now in the custody of the First National Bank of Austin, Texas, and belonging to the State.

The joint resolution was read second time, and

Senator Miller offered the following amendment:

"Amend House Joint Resolution No. 1 by adding at the end of Section 2 the following: 'Provided, said bond or bonds shall be for the payment of the full sums of money now in said bank belonging to the State, and no agreement shall be made which shall take the affairs of said bank out of the hands of the receiver until a bond or bonds, with good and sufficient security, to be approved by the Attorney General, payable to the State of

Library and Historical Commission
Austin, Texas

Texas, guaranteeing the full payment to the State of all sums in said bank belonging to any department of the State government, shall have been made by the parties to whom control of said bank is to be given.'"

ADJOURNMENT.

Pending further action on House Joint Resolution No. 1,

Senator Goss moved that the Senate adjourn until 10 o'clock a. m. tomorrow.

The motion prevailed, and the Senate accordingly, at 5:30 o'clock p. m., adjourned, the amendment by Senator Miller to House Joint Resolution No. 1 pending.

SEVENTEENTH DAY.

Senate Chamber,

Austin, Tex., Friday, Aug. 30, 1901.

The Senate met pursuant to adjournment.

President Pro Tem. Neal in the chair.

The roll was called, a quorum being present, the following Senators answering to their names:

Beaty.	Patterson.
Davidson of	Paulus.
DeWitt.	Potter.
Davidson of	Savage.
Galveston.	Sebastian.
Dibrell.	Stafford.
Hanger.	Staples.
Harris of Bexar.	Swann.
Harris of Hunt.	Turner.
Lipscomb.	Turney.
Lloyd.	Wayland.
Miller.	Wilson.
Neal.	Yett.
Odell.	

Absent.

Goss.	Johnson.
Grinnan.	Wheeler.
James.	

Absent—Excused.

McGee.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday (sixteenth day), the same, on motion of Senator Beaty, was dispensed with.

EXCUSED.

On motion of Senator Potter, Senator Wheeler was excused for non-attendance on yesterday and from further attendance upon the Senate the remainder of this week on account of sickness in his family.

On further motion of Senator Potter, Senator James was excused from attend-

ance upon the Senate today on account of important business.

On motion of Senator Harris of Bexar, Senator Grinnan was excused from attendance upon the Senate for the remainder of the week, on account of important business.

On motion of Senator Patterson, Senator Johnson was excused from attendance upon the Senate today on account of important business.

On motion of Senator Staples, Senator Turner was excused for non-attendance upon the Senate on yesterday on account of important business.

PETITIONS AND MEMORIALS.

The President laid before the Senate the following memorial:

DAUGHTERS OF THE REPUBLIC OF TEXAS.
Houston, Texas, 1901.

To the Twenty-seventh Legislature of the State of Texas in Special Session Convened:

The Twenty-fifth Legislature of Texas having generously given to the Daughters of the Republic of Texas one of the spaces in Statuary Hall set apart to the State of Texas for the life-size marble statue of Stephen F. Austin, which statue will be placed in Statuary Hall by private subscription, the Daughters of the Republic of Texas feel that the remaining space in said Statuary Hall should be filled by the statue of General Sam Houston, in recognition of his great services to the cause of Texan independence.

Therefore, the Daughters of the Republic of Texas, acting through its executive committee, do most respectfully and earnestly ask the Legislature to declare, by proper means, that said remaining space in the Hall of Statuary, at Washington, D. C., shall be filled by the statue of General Sam Houston, and the further request is made that an appropriation be made for the execution of the work.

Respectfully,

MARIE BENNET URWITZ, Chair.;
ADELE BRISCOE LOOSCAN, Sec.;
MAGGIE TOD MILBY,
BELLE SHERMAN KENDALL,
MINNIE PHELPS VASMER (proxy),
MARY J. BRISCOE (proxy),
Executive Committee.

Senator Neal presented the following petitions:

To the Senate and House of Representatives of Texas:

Your petitioners, citizens and qualified voters of Polk county, respectfully ask that this county be and remain in